

Before the
Federal Communications Commission
Washington, D.C. 20554

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In the Matter of)

1998 Biennial Regulatory Review --)
47 C.F.R. Part 90 - Private Land Mobile)
Radio Services)

Replacement of Part 90 by Part 88 to Revise)
the Private Land Mobile Radio Services and)
Modify the Policies Governing Them)
and)
Examination of Exclusivity and Frequency)
Assignment Policies of the Private Land)
Mobile Services)

WT Docket No. 98-182
RM-9222

PR Docket No. 92-235

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

REQUEST FOR LEAVE TO FILE LATE REPLY COMMENTS

The Automobile Club of Hartford, Inc. (AAA Hartford), through undersigned counsel, hereby requests that the Commission accept and consider AAA Hartford's late-filed Reply Comments in the above-captioned proceeding.

AAA Hartford experienced logistical difficulties beyond its control related to the filing of the above-referenced Reply Comments on the evening of December 14, 2000. Counsel attempted to deliver the Reply Comments to the Office of the Secretary prior to the close of the Commission's official workday, but arrived shortly after it closed because of unusual and unforeseen transportation difficulties involving an inexperienced and disoriented cab driver. Counsel also attempted to file the Reply Comments electronically, but the system indicated that the above-captioned proceeding was not available for filing in ECFS.

Grant of AAA Hartford's Request for Leave by the Commission would not result in harm to any party to this proceeding since the Reply Comments are being filed on the business day immediately following the deadline. Further, AAA Hartford's Reply Comments were sent to the

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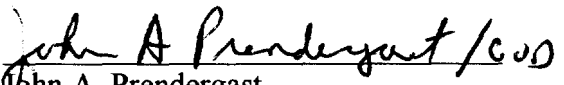
parties in the proceeding (Counsel for Globe Wireless, Inc., MRFAC, and AAA) on December 14, 2000.

CONCLUSION

For these reasons, the Automobile Club of Hartford, Inc. requests that the Commission accept AAA Hartford's late filed Reply Comments by granting this Request for Leave.

Respectfully submitted,

Automobile Club of Hartford, Inc.


John A. Prendergast
Its Attorney

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Filed: December 15, 2000

CERTIFICATE OF SERVICE

I hereby certify that I have this day served the foregoing document entitled "REQUEST FOR LEAVE TO FILE LATE COMMENTS" upon all known parties of record by mailing, by first-class mail, a copy thereof properly addressed to each party, on this day, December 15, 2000.

A handwritten signature in black ink, appearing to read "Vera P. Morris", is written over a horizontal line.

Vera P. Morris



Federal Communications Commission

Application Error(s)

The Proceeding entered in field 1 is not available for filing in ECFS.

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To: The Commission

REPLY COMMENTS OF AUTOMOBILE CLUB OF HARTFORD, INC.

Automobile Club of Hartford, Inc. (AAA Hartford), by its attorney, hereby submits reply comments in the above-referenced proceeding, in order to support elimination of the current power restriction on eight dockside frequencies¹ and the designation of the American Automobile Association (AAA) as the exclusive frequency coordinator of these frequencies. The record in this proceeding demonstrates unanimous support for the former, and there are strong public interest considerations supporting the latter.

AAA Hartford is a not-for-profit organization responsible for providing emergency road services to members in the State of Connecticut. AAA Hartford is the licensee of numerous radio systems within its area of responsibility and is constantly licensing new radio systems and modifying existing systems so that it may provide the most efficient and reliable emergency road

services to its members. The area in which AAA Hartford operates is characterized by mountains, coastal areas, inland areas, as well as densely populated urban areas, making it a challenge to provide reliable communications in these diverse areas. In addition, AAA Hartford's area of operation is often affected by severe winter weather conditions..

In the past, most of the automobile clubs operated basic simplex base and mobile systems in the 150 and 452 MHz bands. Increasingly, however, AAA Hartford and other automobile clubs are turning to the use of mobile relay systems in less populated areas, to obtain the range they need to provide efficient emergency road services. A mobile relay system increases the effective range of AAA Hartford's mobile radios, by repeating the signals at a higher power on a paired frequency. Because the channels that the auto clubs had available in the Automobile Emergency Radio Service did not permit operation of mobile relay systems, the clubs had to use frequencies from the Business Radio Service (now included in the Industrial/Business Pool), which were generally much more congested than the auto club frequencies. This was necessary because, for example, the 457 MHz frequencies that would normally be paired with the 452 MHz auto club channels were available in the Business Radio Service and reserved for low power (2 watt or less) use for cargo handling in dockside areas. With the consolidation of the radio services into the Industrial/Business Pool, and the Commission decision to remove the dockside use restriction, the 457 MHz channels are available for assignment to auto clubs, but only for 2 watts output power.

AAA has asked the Commission to raise the permissible power level on the 457 MHz channels that are normally paired with the 452 MHz channels, and to designate AAA as the

¹ The frequencies are 457.525 MHz, 457.5375 MHz, 457.550 MHz, 457.5625 MHz, 457.575 MHz, 457.5875 MHz.

exclusive coordinator of these frequencies. Doing so would allow AAA to coordinate the 452/457 MHz channels in a paired configuration so that the auto clubs may operate the mobile relay systems they require. In the process, AAA would be able to protect any cargo handling operations in dockside areas that would be entitled to such protection.

Allowing AAA Hartford and other auto clubs to operate on the old auto club frequencies in a paired configuration would also increase the reliability of these radio systems to dispatch emergency road service vehicles. The auto clubs, including AAA Hartford, generally controlled their base stations operating on 452 MHz frequencies by wireline. AAA Hartford has found these systems to be unreliable during some of the most critical instances in which it must use its radio system to provide emergency road service to stranded motorists. During severe storms, wireline circuits are often disrupted at the most critical times, making it impossible to use its radio system to dispatch emergency road service trucks in an efficient manner.

Using traditional radio control links to control these base stations presents its own problems. FCC Rule Section 90.261 provides that such fixed use of mobile service frequencies is secondary to mobile service operations and further restricts power near the larger metropolitan areas. Such circuits also require the use of a separate fixed relay station to relay signals from mobile units back to the control point. This adds a level of complexity that increases the possibility of equipment malfunction. The typical mobile relay configuration, allowing the control station to operate much like another mobile unit, greatly simplifies the operation of the system and reduces the possibility of equipment malfunction.

At the same time that removal of the power restriction would create a cost effective solution for operations in diverse operating areas in which AAA Hartford must cover vast stretches of territory, it would also afford the club an important avenue for relieving congestion on its system in urban and suburban areas. In particular, AAA Hartford would be able to pair channels for high-speed, duplex digital data. Auto clubs have been introducing digital data into their operations in recent years because of severe spectrum crowding, and have found that a traditional dispatch channel will allow only 30 to 40 dispatches per hour, while a digital data channel will allow hundreds of dispatches per hour. Moreover, because the pairing of frequencies will allow duplex operation, messages can be sent back and forth between dispatchers and towing operators without the delay and lost message problems associated with a simplex radio operation. AAA Hartford would like to incorporate similar efficiencies into its operations as the frequencies are becoming ever more crowded.

AAA Hartford believes that in the long run, removal of the power limit will benefit the auto club's members, local governments, and the motoring public in general. AAA Hartford works closely with area police departments, and has a direct dispatch line with the Hartford Police. When an officer encounters an accident, broken down car or other vehicular obstacle, AAA Hartford is dispatched by the police to rapidly resolve the situation. If AAA Hartford is able to employ a mobile relay configuration, this will increase the range and efficiency of its tow fleet, allowing it to more effectively respond to all such dispatches without losing radio communication capability. In addition, AAA Hartford acts as the response unit for many of the automobile manufacturers' roadside assistance plans ("RAPs"). Again, the improved range and efficiency of its radio operations, and decreased channel congestion brought about by pairing

dockside channels will allow AAA Hartford to better serve motorists under the RAP arrangement, who may not otherwise be AAA members.

Both of the commenters on this issue supported AAA's proposal to remove the power limit. See Comments of MRFAC at p. 3; Comments of Globe Wireless, Inc. at p. 2. Globe Wireless has suggested that AAA should take responsibility for resolving any interference problems that may arise, within its role as frequency coordinator. AAA Hartford agrees that this is a reasonable request, with the understanding that frequency coordinators may only make recommendations for avoiding or resolving interference situations, and AAA will need the help of the Commission to effectively carry out this role.

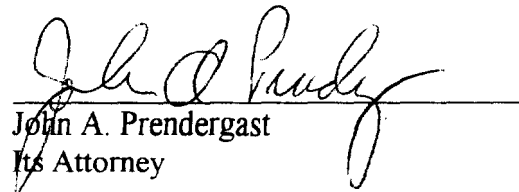
MRFAC expresses concern about the proposal of AAA to be the exclusive coordinator of the dockside frequencies, indicating that this would run counter to the competitive coordination scheme adopted in the Commission's Refarming proceeding. See MRFAC Comments at pp. 3-4. MRFAC recommends that the Commission instead adopt the notification scheme proposed by the Land Mobile Communications Council for protection of incumbent licensees when an applicant proposes use of one of the channels shared by Power, Petroleum, Railroad and Automobile Emergency licensees prior to radio service consolidation. However, AAA Hartford supports AAA's proposal to be the exclusive coordinator. The eight dockside channels at issue are configured to be paired with the frequencies for which AAA is already the exclusive coordinator, pursuant to a Commission finding of important public safety considerations. See *Second Memorandum Opinion and Order*, PR Docket No. 92-235, FCC 99-68, released April 13, 1999 (at paras. 16-18). Therefore, this situation differs from the historic sharing of frequencies among various radio services to which MRFAC refers. And indeed, none of the other frequency

coordinators (such as the Personal Communications Industry Association or ITA) has objected to AAA's proposal, which involves only a small portion of the spectrum allocated for dockside operations. Moreover, AAA Hartford is aware that various auto clubs have already experienced instances where applications were filed through another coordinator on the Automobile Emergency channels in a manner that has jeopardized the safe operation of an automobile emergency dispatch system, in many cases even after AAA has been named the exclusive coordinator. Based on this fact, AAA Hartford believes that making AAA the exclusive coordinator is the only way to ensure interference-free operations on the paired auto club-dockside channels.

Accordingly, AAA Hartford supports the proposal to allow certain 457 MHz frequencies to be operated at power levels greater than 2 watts when paired with the 452 MHz frequencies for which AAA has exclusive frequency coordination responsibility. Including these 457 MHz frequencies among those for which AAA has exclusive coordination rights simply makes sense. It will allow AAA to coordinate the frequencies that the auto clubs require for reliable and efficient dispatching of its emergency road service vehicles in areas away from docksides, while protecting cargo handling operations in dockside areas.

Respectfully submitted,

Automobile Club of Hartford, Inc.


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